



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0315

Introduced 1/19/2007, by Rep. Karen A. Yarbrough

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/2	from Ch. 120, par. 1152
20 ILCS 1605/20	from Ch. 120, par. 1170
20 ILCS 1605/21.7 new	
20 ILCS 2310/2310-348 new	
30 ILCS 105/5.675 new	
30 ILCS 105/8h	

Amends the Illinois Lottery Law. Requires the Department of Revenue to offer a special instant scratch-off game with the title of "Quality of Life", to commence on July 1, 2007 and to be discontinued on December 31, 2012. Provides that the net revenue from the game shall be deposited into the Quality of Life Endowment Fund for appropriation by the General Assembly solely to the Department of Public Health, in consultation with the Quality of Life Board, for the purpose of HIV/AIDS-prevention education and for making grants to public or private entities in Illinois for the purpose of funding organizations that serve the highest at-risk categories for contracting HIV or developing AIDS. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to create the Quality of Life Board as an advisory board within the Department of Public Health. Amends the State Finance Act to create the Quality of Life Endowment Fund. Sets forth procedures for the appointment of Board members and for the operation of the Board. Effective immediately.

LRB095 04658 BDD 24716 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Lottery Law is amended by changing
5 Sections 2 and 20 and by adding Section 21.7 as follows:

6 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

7 Sec. 2. This Act is enacted to implement and establish
8 within the State a lottery to be operated by the State, the
9 entire net proceeds of which are to be used for the support of
10 the State's Common School Fund, except as provided in Sections
11 21.2, and 21.5, and 21.6, and 21.7.

12 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
13 revised 8-23-05.)

14 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

15 Sec. 20. State Lottery Fund.

16 (a) There is created in the State Treasury a special fund
17 to be known as the "State Lottery Fund". Such fund shall
18 consist of all revenues received from (1) the sale of lottery
19 tickets or shares, (net of commissions, fees representing those
20 expenses that are directly proportionate to the sale of tickets
21 or shares at the agent location, and prizes of less than \$600
22 which have been validly paid at the agent level), (2)

1 application fees, and (3) all other sources including moneys
2 credited or transferred thereto from any other fund or source
3 pursuant to law. Interest earnings of the State Lottery Fund
4 shall be credited to the Common School Fund.

5 (b) The receipt and distribution of moneys under Section
6 21.5 of this Act shall be in accordance with Section 21.5.

7 (c) ~~(b)~~ The receipt and distribution of moneys under
8 Section 21.6 of this Act shall be in accordance with Section
9 21.6.

10 (d) The receipt and distribution of moneys under Section
11 21.7 of this Act shall be in accordance with Section 21.7.

12 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
13 revised 8-19-05.)

14 (20 ILCS 1605/21.7 new)

15 Sec. 21.7. Quality of Life scratch-off game.

16 (a) The Department shall offer a special instant
17 scratch-off game with the title of "Quality of Life". The game
18 shall commence on July 1, 2007 or as soon thereafter, in the
19 discretion of the Director, as is reasonably practical, and
20 shall be discontinued on December 31, 2012. The operation of
21 the game is governed by this Act and by any rules adopted by
22 the Department. The Department must consult with the Quality of
23 Life Board, which is established under Section 2310-348 of the
24 Department of Public Health Powers and Duties Law of the Civil
25 Administrative Code of Illinois, regarding the design and

1 promotion of the game. If any provision of this Section is
2 inconsistent with any other provision of this Act, then this
3 Section governs.

4 (b) The Quality of Life Endowment Fund is created as a
5 special fund in the State treasury. The net revenue from the
6 Quality of Life special instant scratch-off game must be
7 deposited into the Fund for appropriation by the General
8 Assembly solely to the Department of Public Health for the
9 purpose of HIV/AIDS-prevention education and for making grants
10 to public or private entities in Illinois for the purpose of
11 funding organizations that serve the highest at-risk
12 categories for contracting HIV or developing AIDS. The
13 recipient organizations must be engaged in HIV/AIDS-prevention
14 education and HIV/AIDS healthcare treatment. The Department
15 must, before grants are awarded, provide copies of all grant
16 applications to the Quality of Life Board, receive and review
17 the Board's recommendations and comments, and consult with the
18 Board regarding the grants. For purposes of this Section, the
19 term "research" includes, without limitation, expenditures to
20 develop and advance the understanding, techniques, and
21 modalities effective in the detection, prevention, screening,
22 and treatment of HIV or AIDS among those in the highest risk
23 categories for contracting or developing the diseases. The
24 grant funds may not be used for institutional, organizational,
25 or community-based overhead costs, indirect costs, or levies.

26 Moneys received for the purposes of this Section,

1 including, without limitation, net revenue from the special
2 instant scratch-off game and gifts, grants, and awards from any
3 public or private entity, must be deposited into the Fund. Any
4 interest earned on moneys in the Fund must be deposited into
5 the Fund.

6 For purposes of this subsection, "net revenue" means the
7 total amount for which tickets have been sold less the sum of
8 the amount paid out in prizes and the actual administrative
9 expenses of the Department solely related to the Quality of
10 Life game.

11 (c) During the time that tickets are sold for the Quality
12 of Life game, the Department shall not unreasonably diminish
13 the efforts devoted to marketing any other instant scratch-off
14 lottery game.

15 (d) The Department may adopt any rules necessary to
16 implement and administer the provisions of this Section in
17 consultation with the Quality of Life Board.

18 Section 10. The Department of Public Health Powers and
19 Duties Law of the Civil Administrative Code of Illinois is
20 amended by adding Section 2310-348 as follows:

21 (20 ILCS 2310/2310-348 new)

22 Sec. 2310-348. The Quality of Life Board.

23 (a) The Quality of Life Board is created as an advisory
24 board within the Department. The Board shall consist of 11

1 members as follows: 2 members appointed by the President of the
2 Senate; one member appointed by the Minority Leader of the
3 Senate; 2 members appointed by the Speaker of the House of
4 Representatives; one members appointed by the Minority Leader
5 of the House of Representatives; 2 members appointed by the
6 Governor, one of whom shall be designated as chair of the Board
7 at the time of appointment; and 3 members appointed by the
8 Director who represent organizations that advocate for the
9 healthcare needs of the first and second highest HIV/AIDS risk
10 groups, one each from the northern Illinois region, the central
11 Illinois region, and the southern Illinois region.

12 The Board members shall serve one 2-year term. If a vacancy
13 occurs in the Board membership, the vacancy shall be filled in
14 the same manner as the initial appointment.

15 (b) Board members shall serve without compensation but may
16 be reimbursed for their reasonable travel expenses from funds
17 appropriated for that purpose. The Department shall provide
18 staff and administrative support services to the Board.

19 (c) The Board must:

20 (i) consult with the Department of Revenue in designing
21 and promoting the Quality of Life special instant
22 scratch-off lottery game; and

23 (ii) review grant applications, make recommendations
24 and comments, and consult with the Department of Public
25 Health in making grants, from amounts appropriated from the
26 Quality of Life Endowment Fund, to public or private

1 entities in Illinois for the purpose of
2 HIV/AIDS-prevention education and for making grants to
3 public or private entities in Illinois for the purpose of
4 funding organizations that serve the highest at-risk
5 categories for contracting HIV or developing AIDS in
6 accordance with Section 21.7 of the Illinois Lottery Law.

7 (d) The Board is discontinued on June 30, 2013.

8 Section 15. The State Finance Act is amended by changing
9 Section 8h and by adding Section 5.675 as follows:

10 (30 ILCS 105/5.675 new)

11 Sec. 5.675. The Quality of Life Endowment Fund.

12 (30 ILCS 105/8h)

13 Sec. 8h. Transfers to General Revenue Fund.

14 (a) Except as otherwise provided in this Section and
15 Section 8n of this Act, and ~~(c), (d), or (e)~~, notwithstanding
16 any other State law to the contrary, the Governor may, through
17 June 30, 2007, from time to time direct the State Treasurer and
18 Comptroller to transfer a specified sum from any fund held by
19 the State Treasurer to the General Revenue Fund in order to
20 help defray the State's operating costs for the fiscal year.
21 The total transfer under this Section from any fund in any
22 fiscal year shall not exceed the lesser of (i) 8% of the
23 revenues to be deposited into the fund during that fiscal year

1 or (ii) an amount that leaves a remaining fund balance of 25%
2 of the July 1 fund balance of that fiscal year. In fiscal year
3 2005 only, prior to calculating the July 1, 2004 final
4 balances, the Governor may calculate and direct the State
5 Treasurer with the Comptroller to transfer additional amounts
6 determined by applying the formula authorized in Public Act
7 93-839 to the funds balances on July 1, 2003. No transfer may
8 be made from a fund under this Section that would have the
9 effect of reducing the available balance in the fund to an
10 amount less than the amount remaining unexpended and unreserved
11 from the total appropriation from that fund estimated to be
12 expended for that fiscal year. This Section does not apply to
13 any funds that are restricted by federal law to a specific use,
14 to any funds in the Motor Fuel Tax Fund, the Intercity
15 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
16 Provider Relief Fund, the Teacher Health Insurance Security
17 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
18 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
19 the Lawyers' Assistance Program Fund, the Supreme Court Federal
20 Projects Fund, the Supreme Court Special State Projects Fund,
21 the Supplemental Low-Income Energy Assistance Fund, the Good
22 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
23 Facility Development and Operation Fund, the Horse Racing
24 Equity Trust Fund, or the Hospital Basic Services Preservation
25 Fund, or to any funds to which subsection (f) of Section 20-40
26 of the Nursing and Advanced Practice Nursing Act applies. No

1 transfers may be made under this Section from the Pet
2 Population Control Fund. Notwithstanding any other provision
3 of this Section, for fiscal year 2004, the total transfer under
4 this Section from the Road Fund or the State Construction
5 Account Fund shall not exceed the lesser of (i) 5% of the
6 revenues to be deposited into the fund during that fiscal year
7 or (ii) 25% of the beginning balance in the fund. For fiscal
8 year 2005 through fiscal year 2007, no amounts may be
9 transferred under this Section from the Road Fund, the State
10 Construction Account Fund, the Criminal Justice Information
11 Systems Trust Fund, the Wireless Service Emergency Fund, or the
12 Mandatory Arbitration Fund.

13 In determining the available balance in a fund, the
14 Governor may include receipts, transfers into the fund, and
15 other resources anticipated to be available in the fund in that
16 fiscal year.

17 The State Treasurer and Comptroller shall transfer the
18 amounts designated under this Section as soon as may be
19 practicable after receiving the direction to transfer from the
20 Governor.

21 (a-5) Transfers directed to be made under this Section on
22 or before February 28, 2006 that are still pending on May 19,
23 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
24 ~~Act of the 94th General Assembly~~ shall be redirected as
25 provided in Section 8n of this Act.

26 (b) This Section does not apply to: (i) the Ticket For The

1 Cure Fund; (ii) any fund established under the Community Senior
2 Services and Resources Act; or (iii) on or after January 1,
3 2006 (the effective date of Public Act 94-511), the Child Labor
4 and Day and Temporary Labor Enforcement Fund.

5 (c) This Section does not apply to the Demutualization
6 Trust Fund established under the Uniform Disposition of
7 Unclaimed Property Act.

8 (d) This Section does not apply to moneys set aside in the
9 Illinois State Podiatric Disciplinary Fund for podiatric
10 scholarships and residency programs under the Podiatric
11 Scholarship and Residency Act.

12 (e) Subsection (a) does not apply to, and no transfer may
13 be made under this Section from, the Pension Stabilization
14 Fund.

15 (f) This Section does not apply to the Quality of Life
16 Endowment Fund.

17 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
18 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
19 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
20 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
21 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
22 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
23 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
24 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
25 eff. 6-6-06; revised 6-19-06.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.